HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.17134 of 1999

Dated 20th day ofJune, 2007

Between:

Bhoomgonda
and another .. Petitioners

And

The District Collector,
Medak at Sangareddy
and two others .. Respondents

O R D E R:

The petitioners have filed this writ petition seeking a direction to the respondents to acquire their submerged lands admeasuring Ac.2.00 cents in S.No.17 and Ac.1.00 cents in S.No.18 situated in Osirikapally village and pay compensation to them.

The petitioners assert that they are the absolute owners of the lands of an extent of Ac.2.00 cents in S.No.17 and Ac.1.00 cents in S.No.18 situated in Osirikapally village, Regode Mandal, Medak District and their lands were submerged in Singoor Project, as such, they are entitled to payment of compensation under the provisions of Land Acquisition Act, 1894 (for brevity "the Act"), but their grievance is that the respondents have neither initiated the proceedings nor paid compensation to them.

Respondents 1 and 2 have filed counter affidavit stating that the lands, being surplus, in S.Nos.17 and 18, were not at all acquired by the Land Acquisition Officer and a report regarding submergence of the lands in question in Singoor Project is awaited from the Executive Engineer, Dam Division No.2, Singoor Project, Pulkal Village. In the absence of any report, the question of acquiring the lands and paying compensation to the petitioners does not arise.

Having heard the learned counsel for both the parties and perused the material placed on record, this Court deems it appropriate to direct the 3rd respondent-Executive Engineer to furnish his report forthwith so that the Land Acquisition Officer as well as the 1st respondent-District Collector can decide as to whether the petitioners are entitled to payment of compensation for their submerged lands or not.

With the above direction, the writ petition is disposed of. No costs.

_____

20.06.2007

bcj